

RECEIVED  
CENTRAL FAX CENTER

**SIEBERTH & PATTY, L.L.C.**

NOV 29 2005

*patent attorneys*

John F. Sieberth\*  
R. Andrew Patty II\*  
Mary H. Drabnis, Ph.D.\*  
Brenda C. Harvey\*

\*Member of Michigan bar. Restricts practice to patent law.  
\*Member of Louisiana and North Carolina bars.  
\*Member of Louisiana bar.  
All attorneys are registered before the U.S. Patent and Trademark Office.

general email: mail@patentcounsel.com  
website: www.patentcounsel.com  
send replies to: Baton Rouge Office

*Baton Rouge:*  
4703 Bluebonnet Boulevard  
Baton Rouge, Louisiana 70809  
phone: 225.291.4600  
facsimile: 225.291.4606

*New Orleans:*  
650 Poydras Street  
Suite 1400  
New Orleans, LA 70130  
phone: 504.299.3455  
facsimile: 504.299.3411

**CONFIDENTIAL**

The information contained in this facsimile is **Privileged and Confidential** information intended for the use of the addressee listed below. If you are neither the intended recipient nor the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the content of this telecopied information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (225) 291-4600 to arrange for return of the original documents to us.

DATE: November 29, 2005

To: Certificate of Corrections Branch Via Fax No.: 1-571-273-8300

From: R. Andrew Patty II (Page 1 of 13)

Re: Request to Correct Inventorship Our ref. no.: S-0829-A  
Your ref. no.: US Patent 6,866,870 B2

Attached please find the following listed documents transmitted via facsimile:

- 1) 2-page Request to Correct Inventorship;
- 2) 1-page Added Inventor Statement for Giovanna A. DeQuerioz;
- 3) 1-page Current Named Inventor Statement for Donal F. Day;
- 4) 2-page Assignee Statement of Consent to Change of Inventorship;
- 5) 2-page Request for Certificate of Correction;
- 6) 1-page (in duplicate) Certificate of Correction;
- 7) 1-page Fee Transmittal form; and
- 8) 1-page Credit Card Payment Form authorizing payment of \$130.00.

**CERTIFICATE OF TRANSMISSION**

I hereby certify that the above listed documents, are being transmitted on the date indicated below to the Patent and Trademark Office, Certificate of Corrections, via facsimile number 1-571-273-8300.

11/29/05

Date

  
Gina R. Merritt

**BEST AVAILABLE COPY**

NOV 29 2005

Atty. Docket No. S-829-A  
U.S. Pat. No. 6,866,870

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DONAL F. DAY ET AL.

PATENT NO.: 6,866,870 B1

ISSUED: 15 MARCH 2005

APPLICATION NO.: 10/659,631

FOR: BIOCIDIC COMPOSITION AND  
RELATED METHODSCONFIRMATION NO.: 5592  
CUSTOMER NO.: 2071Attn: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.324(b)**

The assignee of the above-captioned patent hereby requests entry of a correction of inventorship in the above referenced patent pursuant to 35 U.S.C. 256 by adding a co-inventor,

**Giovanna A. DeQuerioz.**

Accompanying this Request for Correction, please find:

- 1) a statement under 37 C.F.R. 1.324(b)(1) by Giovanna A. DeQuerioz that the error in inventorship was without deceptive intent on her part;
- 2) a statement under 37 C.F.R. 1.324(b)(2) from the current named inventor, Donal F. Day, agreeing to the change of inventorship;
- 3) a statement under 37 C.F.R. 1.324(b)(3) by the Assignee, agreeing with the change in inventorship, together with documentary evidence of chain of title as required under 37 C.F.R. 3.73(b);
- 4) a Request for Certificate of Correction;
- 5) two copies of a completed Form PTO-1050 (PTO/SB/44) Certificate of Correction, containing the appropriate indication of the corrections requested; and

11/30/2005 TL0111 00000014 10659631

01 FC:1464

130.00 OP

Atty. Docket No. S-829-A  
U.S. Pat. No. 6,866,870

- 6) A fee transmittal form authorizing payment of the required fee set forth in 37 C.F.R. 1.20(b).

If anything further is required for favorable action on this Request for Correction, please contact the undersigned to afford the Assignee the opportunity to meet such requirement.

Respectfully submitted,



R. Andrew Patty II  
Reg. No. 38,992  
Attorney for Assignee  
Sieberth & Patty, L.L.C.  
4703 Bluebonnet Blvd.  
Baton Rouge, LA 70809

Phone: 225.291.4600  
Fax: 225.291.4606

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence (along with any papers referred to as being attached or enclosed) is being facsimile transmitted on the date shown below to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

11/29/05  
Date



Gina R. Merritt

RECEIVED  
CENTRAL FAX CENTER

NOV 29 2005 Atty. Docket No. S-829-A  
U.S. Pat. No. 6,866,870

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DONAL F. DAY ET AL.

PATENT NO.: 6,866,870 B1

ISSUED: 15 MARCH 2005

APPLICATION NO.: 10/659,631

FOR: BIOCIDAL COMPOSITION AND  
RELATED METHODS

CONFIRMATION NO.: 5592

CUSTOMER NO.: 2071

Attn: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ADDED INVENTOR STATEMENT UNDER 37 C.F.R. § 1.324(b)(1)**

I, Giovanna A. DeQuerioz, a citizen of Peru, hereby declare as follows:

1. I am a co-inventor of the invention described and claimed in the above-captioned patent.
2. The failure to include Giovanna A. DeQuerioz as an inventor of the invention described and claimed in the above-captioned patent occurred without any deceptive intent on the part of Giovanna A. DeQuerioz.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Dated: 11/02/05

Signed: Giovanna A. DeQuerioz  
Giovanna A. DeQuerioz

BEST AVAILABLE COPY

NOV 29 2005 Atty. Docket No. S-829-A  
U.S. Pat. No. 6,866,870

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DONAL F. DAY ET AL.

PATENT NO.: 6,866,870 B1

ISSUED: 15 MARCH 2005

APPLICATION NO.: 10/659,631

FOR: BIOCIDAL COMPOSITION AND  
RELATED METHODS

CONFIRMATION NO.: 5592

CUSTOMER NO.: 2071

Attn: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CURRENT NAMED INVENTOR STATEMENT UNDER 37 C.F.R. § 1.324(b)(2)

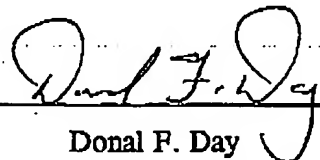
I, Donal F. Day, a citizen of the United States, hereby declare as follows:

1. I am the sole current named inventor of the invention described and claimed in the above-captioned patent.
2. I agree to the addition of Giovanna A. DeQuerioz as a co-inventor of the invention described and claimed in the above-captioned patent.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Dated:

11/2/05

Signed:

  
Donal F. Day

NOV 29 2005

Atty. Docket No. S-829-A

U.S. Pat. No. 6,866,870

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DONAL F. DAY, ET AL.

PATENT NO.: 6,866,870 B1

ISSUED: 15 MARCH 2005

APPLICATION NO.: 10/659,631

FOR: BIOCIDAL COMPOSITION AND  
RELATED METHODS

CONFIRMATION NO.: 5592

CUSTOMER NO.: 2071

Attn: Certificate of Correction Branch  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

**ASSIGNEE STATEMENT OF CONSENT TO CHANGE OF INVENTORSHIP**  
**UNDER 37 CFR 1.324(b)(3)**

I, the undersigned authorized representative of The Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College through the LSU AgCenter, do hereby declare as follows:

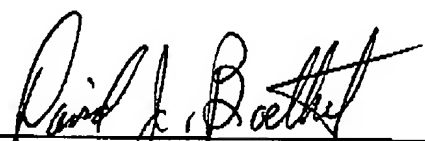
1. The Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College through the LSU AgCenter is the assignee of the entire right, title, and interest in the above-captioned patent from all parties submitting a statement under 37 C.F.R. 1.324(b)(1) and 37 C.F.R. 1.324(b)(2) by virtue of an assignment from Donal F. Day, the presently-named inventor, and an assignment from Giovanna A. DeQuerioz, the inventor whose addition is being requested.
2. The Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College through the LSU AgCenter agrees to the change of inventorship in this patent, which adds Giovanna A. DeQuerioz as a co-inventor.
3. This Statement complies with the requirements of 37 C.F.R. 3.73(b). Enclosed herewith are two copies of an executed assignment by Giovanna A. DeQuerioz, provided as documentary evidence of a chain of title from her to The Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College through the LSU AgCenter. *A copy of the executed*

Atty. Docket No. S-829-A  
U.S. Pat. No. 6,866,870

*assignment by Giovanna A. DeQuerioz is also being submitted to the Assignment Division.*  
Documentary evidence of a chain of title from Donal F. Day to Assignee is recorded in the U.S. Patent and Trademark Office Assignment Records at Reel No. 014685, Frame No. 0274.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Dated: 11/2/05

Signed: 

David U. Boethel

Vice Chancellor & Director

Louisiana State University

AgCenter Experiment Station

RECEIVED  
CENTRAL FAX CENTER

NOV 29 2005

PATENT  
Attorney Docket No.: S-0829-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DONAL F. DAY ET AL.	)	
	)	
PATENT NO.: 6,866,870 B2	)	
	)	CONFIRMATION NUMBER:
ISSUED: MARCH 15, 2005	)	5592
	)	
APPLICATION NO.: 10/659,631	)	
	)	CUSTOMER NUMBER:
FILED: SEPTEMBER 10, 2003	)	2071
	)	
FOR: BIOCIDIC COMPOSITION AND RELATED	)	
METHODS	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CERTIFICATE OF CORRECTION**

In accordance with 37 C.F.R. 1.322, Patentee for the above-captioned patent hereby requests issuance of a Certificate of Correction to correct a printing error in the patent due to error by the Applicant. The following summarizes the correction requested and the location of the error in the application file.

On the title page, the inventor has "Donal F. Day, Baton Rouge, LA (US) and should read -- Donal F. Day, Baton Rouge, LA (US); Giovanna A. DeQuerioz, Baton Rouge, LA (US) -- in accordance with the correction filed herewith.

Enclosed herewith are two copies of a completed Form PTO-1050 (PTO/SB/44) Certificate of Correction, containing the appropriate indication of the corrections requested.



PATENT  
Attorney Docket No.: S-0829-A

Accordingly, issuance of the enclosed Certificate of Correction is solicited.

Respectfully submitted,



R. Andrew Patty II  
Reg. No. 38,992  
Attorney for Assignee  
Sieberth & Patty, L.L.C.  
4703 Bluebonnet Blvd.  
Baton Rouge, LA 70809

Phone: 225-291-4600

Fax: 225-291-4606

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being facsimile transmitted on the date shown below to the United States Patent and Trademark Office, Fax number 571-273-8300.

11/29/05  
Date

  
Gina R. Merritt

PTO/SB/44 (04-05)  
Approved for use through 04/30/2007. OMB 0651-0033  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
(Also Form PTO-1050)

# UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,866,870 B2  
APPLICATION NO.: 10/659,631  
ISSUE DATE : March 15, 2005  
INVENTOR(S) : Donal F. Day et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the title page under Inventor, reads "Donal F. Day, Baton Rouge, LA (US)" and should read -- Donal F. Day, Baton Rouge, LA (US), Giovanna A. DeQuerloz, Baton Rouge, LA (US), --

## MAILING ADDRESS OF SENDER (Please do not use customer number below):

Sieberth & Patty, L.L.C.  
4703 Bluebonnet Boulevard  
Baton Rouge, Louisiana 70809

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/44 (04-05)  
Approved for use through 04/30/2007. OMB 0551-0033  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,866,870 B2

APPLICATION NO.: 10/659,631

ISSUE DATE : March 15, 2005

INVENTOR(S) : Donal F. Day et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the title page under Inventor, reads "Donal F. Day, Baton Rouge, LA (US)" and should read - - Donal F. Day, Baton Rouge, LA (US), Giovanna A. DeQuerloz, Baton Rouge, LA (US). - -

### MAILING ADDRESS OF SENDER (Please do not use customer number below):

Sieberth & Patty, L.L.C.  
4703 Bluebonnet Boulevard  
Baton Rouge, Louisiana 70809

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NOV 29 2005

Doc Code:

PTO/SB/171 (04-05)

Approved for use through 07/31/2007. OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>PROCESSING FEE</b> <b>Under 37 CFR 1.17(i)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision)	Application Number	10/659,831
	Filing Date	September 10, 2003
	First Named Inventor	Donal F. Day
	Art Unit	1616
	Examiner Name	Alton Nathaniel Pryor
	Attorney Docket Number	8-0829-A

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Enclosed is a paper filed under 37 CFR 1.48 that requires a processing fee (37 CFR 1.17(i)).  
Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the processing fees)

- ☐ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. \_\_\_\_\_:
- ☐ processing fee under 37 CFR 1.17(i) ☐ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.


☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,**  
**Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

- § 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.53, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 - for entry of late priority papers.
- § 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods.
- § 1.98(e) - for processing a belated submission under § 1.99.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371 (c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

  
 Signature  
 R. Andrew Patty II  
 Typed or printed name

11/29/2005  
 Date  
 38,992  
 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**